IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8139 of 2002

Between:

Thomkhup Changsan, S/o Pumthong Changsan, R/o H.No.20/A, P.S.Nagar Colony, Hyderabad.

..... PETITIONER

AND

1 The District Collector, R.R. District, Hyderabad.
2 The Sub-Registrar, Medchal, R.R. District.
3 The Mandal Revenue Officer, Shamirpet Mandal, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction particularly in the nature of writ of mandamus declaring the action of the 2nd respondent in insisting the petitioner to produce the clearance certificate from the 1st or 3rd respondent with regard to the registration of land bearing Sy.No.687.D part, situated in Yamjal Village, Shamirpet Mandal, R.R. District as illegal, arbitrary and without jurisdiction and without authority of law and further direct the 2nd respondent to register the land belonging to the petitioner without insisting the clearance certificate from the 1st or 3rd

respondent

Counsel for the Petitioner: MR.M.S.N.PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER: (Per Hon'ble Sri BRSR, J)

The subject matter that arises for consideration in this writ petition is squarely covered by the decision rendered by us in W.P.No.7997 of 2002, dated 21-07-2004.

Following the said judgment, this writ petition is allowed directing the respondents herein to receive the document presented by the petitioner and register the same and release, provided no notification has so far been issued by the State Government under Section 22-A (1) of the Registration Act, 1908.

This order shall not preclude the District Collector at least to move in the matter and submit proposals to the State Government for its decision under Section 22-A (1) of the Act.

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(B. Sudershan Reddy,J)

Date: 21-09-2004

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(K.C. Bhanu,J)

ghn/grr

To

1 The District Collector, R.R. District, Hyderabad.
2 The Sub-Regirar, Medchal, R.R. District.
3 The Mandal Revenue Officer, Shamirpet Mandal, R.R. District.

4. Two 2CCs to the Government Pleader for Revenue, High Court of A.P.,(O.U.T.)

5. Two CD copies.